

SUPREME COURT OF KENTUCKY

MINUTES

APRIL 21, 2005

RELEASED: 2:00 P.M.

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| 75. | VINCENT C. STOPHER V.<br>HON. F. KENNETH CONLIFFE,<br>JUDGE, JEFFERSON CIRCUIT<br>COURT, ET AL<br><b>OPINION OF THE COURT BY<br/>JUSTICE KELLER – <u>DENYING</u><br/><u>PETITION FOR WRIT OF<br/>MANDAMUS.</u></b>                                 | <a href="#"><u>2003-SC-000710-OA</u></a><br><b>TO BE PUBLISHED</b> | JEFFERSON |
| 76. | CHARLES PETERSON V.<br>COMMONWEALTH OF KENTUCKY<br><b>OPINION OF THE COURT BY<br/>JUSTICE GRAVES – <u>AFFIRMING.</u></b><br>KELLER, J., DISSENTS BY<br>SEPARATE OPINION IN WHICH<br>JOHNSTONE, J., JOINS.  | <a href="#"><u>2002-SC-000973-MR</u></a><br><b>TO BE PUBLISHED</b> | MARSHALL  |
| 77. | SHAWN WILLIAM ERNST V.<br>COMMONWEALTH OF KENTUCKY<br><b>OPINION OF THE COURT BY<br/>JUSTICE COOPER – <u>AFFIRMING.</u></b>  | <a href="#"><u>2002-SC-001088-MR</u></a><br><b>TO BE PUBLISHED</b> | BOONE     |
| 78. | MICHAEL R. ALLEY V.<br>COMMONWEALTH OF KENTUCKY<br><b>OPINION OF THE COURT BY<br/>JUSTICE WINTERSHEIMER –<br/><u>AFFIRMING.</u></b><br>SCOTT, J., CONCURS IN PART AND<br>DISSENTS IN PART BY SEPARATE<br>OPINION AND IS JOINED BY<br>LAMBERT, C.J. | <a href="#"><u>2003-SC-000103-MR</u></a><br><b>TO BE PUBLISHED</b> | WAYNE     |
| 79. | WALTER GARY MATTHEWS, JR. V.<br>COMMONWEALTH OF KENTUCKY<br><b>OPINION OF THE COURT BY<br/>JUSTICE WINTERSHEIMER –<br/><u>AFFIRMING.</u></b>   | <a href="#"><u>2003-SC-000364-MR</u></a><br><b>TO BE PUBLISHED</b> | MCCRACKEN |

SUPREME COURT OF KENTUCKY

MINUTES

APRIL 21, 2005

RELEASED: 2:00 P.M.

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| 80. | COMMONWEALTH OF KENTUCKY V. RONNIE MOBLEY<br><b>OPINION OF THE COURT BY<br/>CHIEF JUSTICE LAMBERT –<br/><u>REVERSING.</u></b>  | <a href="#"><u>2003-SC-000807-DG</u></a><br><b>TO BE PUBLISHED</b> | FAYETTE                  |
| 81. | LLOYD DAY V.<br>FAIRBANKS COAL COMPANY,<br>ET AL<br>AND<br>FAIRBANKS COAL COMPANY V.<br>LLOYD DAY JR., ET AL<br><b>OPINION OF THE COURT –<br/><u>REVERSING.</u></b>                        | <a href="#"><u>2004-SC-000262-WC</u></a><br><b>TO BE PUBLISHED</b> | FROM COURT<br>OF APPEALS |
|     |  | <a href="#"><u>2004-SC-000289-WC</u></a><br><b>TO BE PUBLISHED</b> | FROM COURT<br>OF APPEALS |
| 82. | THE ST. LUKE HOSPITALS, INC. V.<br>HON. LEONARD L. KOPOWSKI,<br>CAMPBELL CIRCUIT COURT JUDGE,<br>ET AL<br><b>OPINION OF THE COURT BY<br/>CHIEF JUSTICE LAMBERT –<br/><u>REVERSING.</u></b> | <a href="#"><u>2004-SC-000413-MR</u></a><br><b>TO BE PUBLISHED</b> | FROM COURT<br>OF APPEALS |
| 83. | HIGHLAND HEIGHTS VOLUNTEER<br>FIRE DEPARTMENT V.<br>GAVIN ELLIS, ET AL<br><b>OPINION OF THE COURT -<br/><u>REVERSING.</u></b>  | <a href="#"><u>2004-SC-000420-WC</u></a><br><b>TO BE PUBLISHED</b> | FROM COURT<br>OF APPEALS |

SUPREME COURT OF KENTUCKY

MINUTES

APRIL 21, 2005

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| 84. | DAVID R. BROWN V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF THE COURT – <u>AFFIRMING.</u></b><br>GRAVES AND KELLER, JJ., CONCUR<br>BECAUSE THE LAW OF SELF-PROTECTION, AS IT EXISTS NOW, REQUIRES THAT APPELLANT’S CONVICTION BE UPHELD, THOUGH THEY ALSO AGREE WITH JUSTICE SCOTT’S DISSENT TO THE EXTENT THAT IT URGES THE LEGISLATURE TO REVISIT THIS AREA OF THE LAW. SCOTT, J., DISSENTS BY SEPARATE OPINION. | <a href="#">2002-SC-000739-MR</a><br><b>NOT TO BE PUBLISHED</b> | CHRISTIAN                |
| 85. | EASTER SEALS WEST, KY., INC.<br>P/K/A/ WEST KY. EASTER SEALS CENTER V.<br>HUBERT WRIGHT, ET AL<br><b>MEMORANDUM OPINION OF THE COURT – <u>AFFIRMING.</u></b><br>GRAVES, J., CONCURS BY SEPARATE OPINION AND IS JOINED BY KELLER, J.  | <a href="#">2003-SC-000516-WC</a><br><b>NOT TO BE PUBLISHED</b> | FROM COURT<br>OF APPEALS |
| 86. | TYLER HENCHON V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF THE COURT – <u>AFFIRMING.</u></b>   | <a href="#">2003-SC-000536-MR</a><br><b>NOT TO BE PUBLISHED</b> | MONTGOMERY               |
| 87. | EDDIE TROTTER V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF THE COURT – <u>AFFIRMING.</u></b>   | <a href="#">2003-SC-000577-MR</a><br><b>NOT TO BE PUBLISHED</b> | JEFFERSON                |
| 88. | BENJAMIN DAVID WILSON V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF THE COURT – <u>AFFIRMING.</u></b>   | <a href="#">2003-SC-000601-MR</a><br><b>NOT TO BE PUBLISHED</b> | DAVIESS                  |

SUPREME COURT OF KENTUCKY

MINUTES

APRIL 21, 2005

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| 89. | TIMOTHY WAYNE MAXWELL V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF THE<br/>COURT – <u>AFFIRMING.</u></b>   | <a href="#">2003-SC-000655-MR</a><br><b>NOT TO BE PUBLISHED</b>  | LOGAN                    |
| 90. | BRENDA HUMPHREY V.<br>COMMONWEALTH OF KENTUCKY<br>AND<br>GREGORY WILSON V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF THE<br/>COURT – <u>AFFIRMING.</u></b> | <a href="#">2003-SC-000671-TG</a><br><b>NOT TO BE PUBLISHED</b><br><br><a href="#">2003-SC-000672-TG</a><br><b>NOT TO BE PUBLISHED</b> | KENTON<br><br>KENTON     |
| 91. | NOEL WASHINGTON V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF THE<br/>COURT – <u>AFFIRMING.</u></b>   | <a href="#">2003-SC-000703-MR</a><br><b>NOT TO BE PUBLISHED</b>  | KENTON                   |
| 92. | ERIC COOK V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF THE<br/>COURT – <u>AFFIRMING.</u></b>   | <a href="#">2003-SC-000724-MR</a><br><b>NOT TO BE PUBLISHED</b>  | CLINTON                  |
| 93. | TOMMY A. BROWN V.<br>LEECO, INC., ET AL<br><b>MEMORANDUM OPINION OF THE<br/>COURT – <u>AFFIRMING.</u></b>  | <a href="#">2004-SC-000320-WC</a><br><b>NOT TO BE PUBLISHED</b>  | FROM COURT<br>OF APPEALS |
| 94. | MICHAEL TODD NALLEY V.<br>KEITH WHEATLEY CONSTRUCTION,<br>ET AL<br><b>MEMORANDUM OPINION OF THE<br/>COURT – <u>AFFIRMING.</u></b>  | <a href="#">2004-SC-000362-WC</a><br><b>NOT TO BE PUBLISHED</b>  | FROM COURT<br>OF APPEALS |
| 95. | INA BARNETT GRIBBINS V.<br>AMAZON.COM, ET AL<br><b>MEMORANDUM OPINION OF THE<br/>COURT – <u>AFFIRMING.</u></b><br>GRAVES, J., CONCURS IN<br>RESULT ONLY.                 | <a href="#">2004-SC-000372-WC</a><br><b>NOT TO BE PUBLISHED</b>  | FROM COURT<br>OF APPEALS |

**SUPREME COURT OF KENTUCKY**

**MINUTES**

**APRIL 21, 2005**

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| 96. | S. F. AND S. COAL COMPANY,<br>INC., V.<br>DOYLE CARNES, ET AL<br><b>MEMORANDUM OPINION OF THE<br/>COURT – <u>AFFIRMING.</u></b>                         | <a href="#"><u>2004-SC-000376-WC</u></a><br><b>NOT TO BE PUBLISHED</b> | FROM COURT<br>OF APPEALS |
| 97. | W. R. BRYANT V.<br>WALTER GOODMAN, ET AL<br><b>MEMORANDUM OPINION OF THE<br/>COURT – <u>AFFIRMING.</u></b>  | <a href="#"><u>2004-SC-000386-WC</u></a><br><b>NOT TO BE PUBLISHED</b> | FROM COURT<br>OF APPEALS |
| 98. | IN RE: THOMAS C. BOWLING,<br>ET AL<br><b>MEMORANDUM OPINION OF THE<br/>COURT – <u>AFFIRMING.</u></b>  | <a href="#"><u>2004-SC-001000-MR</u></a><br><b>NOT TO BE PUBLISHED</b> | FAYETTE                  |
| 99. | JOHANNA KAPLAN BOWLING V.<br>HON. JAMES G. WEDDLE, JUDGE<br>BELL CIRCUIT COURT, ET AL<br><b>MEMORANDUM OPINION OF THE<br/>COURT - <u>AFFIRMING.</u></b> | <a href="#"><u>2005-SC-000043-MR</u></a><br><b>NOT TO BE PUBLISHED</b> | BELL                     |

**OPINIONS AND ORDERS ENTERED APRIL 21, 2005**

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| STEPHEN R. DUNN V.<br>KENTUCKY BAR ASSOCIATION<br>AND CHARACTER AND FITNESS<br>COMMITTEE<br><b>OPINION AND ORDER DENYING MOVANT'S<br/>MOTION FOR REINSTATEMENT .</b> | <a href="#"><u>2000-SC-000799-KB</u></a><br><b>TO BE PUBLISHED</b> | IN SUPREME<br>COURT |
| ARTHUR W. PULLIAM V.<br>KENTUCKY BAR ASSOCIATION<br><b>OPINION AND ORDER SUSPENDING<br/>MOVANT FROM THE PRACTICE OF<br/>LAW FOR A PERIOD OF 61 DAYS.</b>             | <a href="#"><u>2002-SC-000595-KB</u></a><br><b>TO BE PUBLISHED</b> | IN SUPREME<br>COURT |

**SUPREME COURT OF KENTUCKY**

**MINUTES**

**APRIL 21, 2005**

**RELEASED: 2:00 P.M.**

**OPINIONS AND ORDERS ENTERED APRIL 2, 2005**

MELISSA HAGGARD V. KENTUCKY BAR ASSOCIATION <b>OPINION AND ORDER GRANTING MOVANT'S MOTION FOR REINSTATEMENT TO THE PRACTICE OF LAW.</b>	<a href="#"><u>2003-SC-000996-KB</u></a> <b>TO BE PUBLISHED</b>	IN SUPREME COURT
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KENTUCKY BAR ASSOCIATION, CLE COMMISSION V. PETER C. BROWN <b>OPINION AND ORDER, ORDERING RESPONDENT SANCTIONED FOR NON-COMPLIANCE WITH THE MINIMUM CLE REQUIREMENTS OF SCR 3.661(1) FOR THE 2003-2004 EDUCATIONAL YEAR.</b>	<a href="#"><u>2004-SC-001035-KB</u></a> <b>TO BE PUBLISHED</b>	IN SUPREME COURT
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TAYLOR STRASSER V. CHARACTER AND FITNESS COMMONWEALTH OF THE KENTUCKY OFFICE OF BAR ADMISSIONS <b>OPINION AND ORDER CONDITIONALLY ADMITTING MOVANT TO THE PRACTICE OF LAW IN KENTUCKY.</b> WINTERSHEIMER, J., DISSENTS BY SEPARATE OPINION IN WHICH COOPER AND GRAVES, JJ., JOIN.	<a href="#"><u>2004-SC-001088-KB</u></a> <b>TO BE PUBLISHED</b>	IN SUPREME COURT
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**COURT ORDERS GRANTING MOTION FOR DISCRETIONARY REVIEW  
ENTERED APRIL 13, 2005.**

CITY OF LOUISVILLE, DIVISION OF FIRE V. FIRE SERVICE MANAGERS ASSOCIATION, ET AL	2004-SC-000443-DG	JEFFERSON
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MARQUIS DERON HEARD V. COMMONWEALTH OF KENTUCKY	2004-SC-000551-DG	FAYETTE
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**SUPREME COURT OF KENTUCKY**

**MINUTES**

**APRIL 21, 2005**

**RELEASED: 2:00 P.M.**

**COURT ORDERS GRANTING MOTION FOR DISCRETIONARY REVIEW  
ENTERED APRIL 13, 2005.**

SHANE RAGLAND V. MICHAEL L. DIGIURO, ETC.	2004-SC-000560-DG	FAYETTE
WILLIAM WELLS V. COMMONWEALTH OF KENTUCKY	2004-SC-000593-DG	CASEY
TERESA M. SCHULTE V. JOHN M. SCHULTE	2004-SC-000656-DG	KENTON
COMMONWEALTH OF KENTUCKY V. MICHAEL EDWARD SEARS	2004-SC-000738-DG	WHITLEY
GEICO CASUALTY COMPANY V. ROBERT E. HARTLEY, ETC., ET AL	2004-SC-000874-DG	MEADE
COMMONWEALTH OF KENTUCKY V. CHARLES JONES	2004-SC-001017-DG	HARLAN
GREGORY A. LINK V. COMMONWEALTH OF KENTUCKY	2005-SC-000068-DG	GRANT
DWIGHT V. CAVE V. GEORGE R. O'BRYAN	2005-SC-000118-DG	JEFFERSON

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW  
ENTERED APRIL 13, 2005**

CITY COUNCIL OF THE CITY OF FLORENCE, KENTUCKY V. DAVID B. COLE	2004-SC-000243-D	BOONE
ANDREW SIMON MICKLER V. TERRY J. MICKLER, ET AL	2004-SC-000480-D	JEFFERSON
PNC BANK, KENTUCKY, INC. V. RONALD E. GODFREY, ET AL	2004-SC-000492-D	JEFFERSON

**SUPREME COURT OF KENTUCKY**

**MINUTES**

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**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW**  
**ENTERED APRIL 13, 2005**

JOSHUA HOWARD, ET AL V. COMMONWEALTH OF KENTUCKY	2004-SC-000497-D	FAYETTE
BARBARA GIBSON V. JOHN ROGER BOWLIN, ETC., ET AL	2004-SC-000557-D	JOHNSON
STEWART SERVICES, INC. V. TILFORD MECHANICAL CONTRACTORS, INC.	2004-SC-000558-D	MCCRACKEN
DEMARCUS COLEMAN V. COMMONWEALTH OF KENTUCKY	2004-SC-000567-D	JEFFERSON
JOHNNY K. BLANKENSHIP V. CLAUDE J. ACTON, ET AL	2004-SC-000571-D	PULASKI
LICIA PATRICK, (NOW LYKINS) V. NOAH DOUGLAS PATRICK	2004-SC-000586-D	MAGOFFIN
COMMONWEALTH OF KENTUCKY V. MARK AARON EMBRY	2004-SC-000589-D	DAVIESS
LESTER CLIFTON LOWE V. COMMONWEALTH OF KENTUCKY	2004-SC-000604-D	TAYLOR
LONNIE SIZEMORE, ET AL V. THE WISER OIL COMPANY	2004-SC-000655-D	CLAY
JERRY G. LAWSON, ET AL V. COUNTY OF KENTON, KENTUCKY ET AL	2004-SC-000663-D	BOONE
ROBERTA HOLLAND DOBSON V. JERRY LYNN DOBSON <b>COURT OF APPEALS OPINION IS ORDERED TO BE PUBLISHED</b>	2004-SC-000668-D	OLDHAM



**SUPREME COURT OF KENTUCKY**

**MINUTES**

**APRIL 21, 2005**

**RELEASED: 2:00 P.M.**

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW**  
**ENTERED APRIL 13, 2005**

CHARLES MORGAN V. COMMONWEALTH OF KENTUCKY	2004-SC-000674-D	LESLIE
KENTON L. CHRISTY V. CSX TRANSPORTATION, INC.	2004-SC-000678-D	GREENUP
DICKIE HOLBROOK V. COMMONWEALTH OF KENTUCKY	2004-SC-000685-D	PERRY
DAVID M. BAXTER V. COMMONWEALTH OF KENTUCKY	2004-SC-000693-D	CARTER
BENNY DALE COLEMAN, ET AL V. ROBERT HENSLEY, ET AL	2004-SC-000696-D	HARLAN
JAMES D. DAWSON, JR., M.D. V. DEBORAH LAWSON, ETC.	2004-SC-000723-D	WHITLEY
GEORGE JIM RILEY V. COMMONWEALTH OF KENTUCKY	2004-SC-000729-D	CALDWELL
FAYETTE MILTON VANDERFORD V. COMMONWEALTH OF KENTUCKY	2004-SC-000735-D	FAYETTE
COMMONWEALTH OF KENTUCKY V. MARTEL L. TURNEY	2004-SC-000744-D	KENTON
<b>OPINION OF THE COURT OF APPEALS IS ORDERED TO BE PUBLISHED.</b>		
COMMONWEALTH OF KENTUCKY V. DAVID HOLBROOK	2004-SC-000752-D	MAGOFFIN
SHANNON HAMLETT V. JAMES E. COWELL AND/OR JAMES E. COWELLS, ET AL	2004-SC-000754-D	METCALFE

**SUPREME COURT OF KENTUCKY**

**MINUTES**

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**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW**  
**ENTERED APRIL 13, 2005**

STEPHON PEAKE V. COMMONWEALTH OF KENTUCKY	2004-SC-000757-D	CAMPBELL
JERRY W. LEONARD V. CITY OF LEBANON JUNCTION, KENTUCKY, ET AL	2004-SC-000777-D	BULLITT
DONNIE LEWIS RICHARDSON V. COMMONWEALTH OF KENTUCKY	2004-SC-000780-D	HART
VERNON MILLS V. W. L. (SKIP) HAMMONS, JR., P.S.C.	2004-SC-000795-D	KNOX
JAMES WARREN MORRIS V. COMMONWEALTH OF KENTUCKY	2004-SC-000805-D	MCLEAN
KAHLIL G. TURNER V. COMMONWEALTH OF KENTUCKY	2004-SC-000818-D	HENDERSON
DEBORAH BROWN V. KENTUCKY RETIREMENT SYSTEMS	2004-SC-000823-D	FRANKLIN
RODERICK WHITE V. COMMONWEALTH OF KENTUCKY	2004-SC-000835-D	JESSAMINE
JENNIFER HALL, ETC., V. DANIEL V. HUNT, M.D.	2004-SC-000855-D	MARION
LALANA BRAMBLE, ET AL V. BRUCE GRAHAM, ET AL	2004-S-000904-D	BOONE
AMEICAN PREMIER INS. CO., V. TIMOTHY MCBRIDE	2004-SC-000950-D	HENDERSON

**SUPREME COURT OF KENTUCKY**

**MINUTES**

**APRIL 21, 2005**

**RELEASED: 2:00 P.M.**

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW**  
**ENTERED APRIL 13, 2005**

HOME DEPOT U.S.A., INC. V. SAUL SUBSIDIARY I LIMITED PARTNERSHIP	2004-SC-000952-D	FAYETTE
CHARLES P. HELLARD V. COMMONWEALTH OF KENTUCKY	2004-SC-000953-D	BULLITT
CHAMP REALTY INVESTMENT V. THE CITY OF COVINGTON, KENTUCKY	2004-SC-000959-D	KENTON
DANIEL LACY V. COMMONWEALTH OF KENTUCKY	2004-SC-000977-D	BULLITT
LARRY ODEN V. COMMONWEALTH OF KENTUCKY	2004-SC-000991-D	LETCHER
ROSCOE DEES V. COMMONWEALTH OF KENTUCKY	2004-SC-001012-D	FAYETTE
TERRANCE L. PAYNE V. COMMONWEALTH OF KENTUCKY	2004-SC-001101-D	HENDERSON
WALTER HELTON V. COMMONWEALTH OF KENTUCKY	2004-SC-001107-D	KNOX
KELVIN ROBERSON V. COMMONWEALTH OF KENTUCKY	2004-SC-001125-D	TRIGG
JOE RAY TURNER V. COMMONWEALTH OF KENTUCKY	2004-SC-001135-D	ALLEN
DALE LOUIS BROWN V. COMMONWEALTH OF KENTUCKY	2005-SC-000004-D	LARUE
YORIG R. REYES V. JOHN M. COY, MEMBER OF KENTUCKY PAROLE BOARD, ET AL	2005-SC-000006-D	FRANKLIN

**SUPREME COURT OF KENTUCKY**

**MINUTES**

**APRIL 21, 2005**

**RELEASED: 2:00 P.M.**

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW  
ENTERED APRIL 13, 2005**

JOSEPH S. GRAVES V. RALPH DAILEY, WARDEN, ETC.	2005-SC-000008-D	OLDHAM
NELSON E. CLEMMENS V. THERMOVIE INDUSTRIES, INC.	2005-SC-000011-D	JEFFERSON
JAY SHORT V. JAMES MORGAN, WARDEN	2005-SC-000027-D	BOYLE
ROBERT ANTHONY MILLER V. COMMONWEALTH OF KENTUCKY	2005-SC-000030-D	JEFFERSON
WILLARD D. GROSS, ETC. V. FRED IRTZ, ADMINISTRATOR	2005-SC-000033-D	FAYETTE
ROBERT L. GASS, SR. V. COMMONWEALTH OF KENTUCKY	2005-SC-000041-D	SIMPSON
NENA MICHELLE BERRY, NOW RENFROE V. STACY DALE BERRY	2005-SC-000044-D	MASON
JAMES S. ROWE V. COMMONWEALTH OF KENTUCKY	2005-SC-000110-D	CAMPBELL
GARY LYNN JOHNSTON V. COMMONWEALTH OF KENTUCKY	2005-SC-000134-D	JEFFERSON

**COURT ORDERS DENYING BELATED MOTION FOR ENLARGEMENT OF TIME  
TO FILE A MOTION FOR DISCRETIONARY REVIEW**

JONATHAN RUSSELL HENSLEY V. COMMONWEALTH OF KENTUCKY <b>ENTERED: APRIL 14, 2005</b>	2005-SC-000032-D	FAYETTE
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**SUPREME COURT OF KENTUCKY**

**MINUTES**

**APRIL 21, 2005**

**RELEASED: 2:00 P.M.**

**COURT ORDERS DENYING BELATED MOTION FOR ENLARGEMENT OF TIME  
TO FILE A MOTION FOR DISCRETIONARY REVIEW**

KEATH BRAMBLETT V. 2005-SC-000135-D OWEN  
HON. STEPHEN L. BATES, JUDGE  
OWEN CIRCUIT COURT, ET AL  
**ENTERED: MARCH 31, 2005**

TAMMY BOUCHER V. 2005-SC-000164-D HARDIN  
CABINET FOR HEALTH AND FAMILY  
SERVICES.  
**ENTERED: APRIL 14, 2005**

DR. ROBERT L. MONTGOMERY V. 2005-SC-000227-D FRANKLIN  
CABINET FOR WORKFORCE  
DEVELOPMENT, DEPARTMENT OF  
VOCATIONAL REHABILITATION  
**ENTERED: APRIL 14, 2005**

**COURT ORDERS GRANTING MOTION TO TRANSFER**

STEVE BRYANT V. 2005-SC-000194-TG CALDWELL  
COMMONWEALTH OF KENTUCKY  
**ENTERED: MARCH 15, 2005**

BILLY BOWMAN V. 2005-SC-000234-TG CALLOWAY  
COMMONWEALTH OF KENTUCKY  
**ENTERED: MARCH 28, 2005**

MICHAEL HOPKINS V. 2005-SC-000259-TG BOONE  
COMMONWEALTH OF KENTUCKY  
**ENTERED: APRIL 13, 2005**

**SUPREME COURT OF KENTUCKY**

**MINUTES**

**APRIL 21, 2005**

**RELEASED: 2:00 P.M.**

**COURT ORDERS DENYING MOTION TO TRANSFER ENTERED APRIL 21, 2005**

LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT V. KENTUCKY RESTAURANT CONCEPTS, INC., D/B/A/ PT'S SHOW CLUB, ET AL	2005-SC-000090-T	JEFFERSON
CHASTITY SMITH V. STEPHEN G. LAU, ET AL	2005-SC-000102-T	FROM COURT OF APPEALS

**COURT ORDERS DENYING PETITION FOR REHEARING ENTERED APRIL 21, 2005**

RICHARD MEADE, ET AL V. MICHAEL GINN, ET AL	2002-SC-000518-DG	FLEMING
KELLY FRANK MILLER V. COMMONWEALTH OF KENTUCKY	2002-SC-000527-MR	PERRY
KEVINE WAYNE METCALF V. COMMONWEALTH OF KENTUCKY <b>MODIFYING OPINION BY SUBSTITUTION OF PAGES.</b>	2003-SC-000098-MR	MCCRACKEN
NEWELL ENTERPRISES, INC. AND JOE NEWELL, INDIVIDUALLY V. HON. JAMES BOWLING, JR., JUDGE BELL CIRCUIT COURT, ET AL	2004-SC-000263-MR	BELL

**COURT ORDERS**

WILLIAM LOFTON V. COMMONWEALTH OF KENTUCKY <b>COURT ORDER ORDERING CASE REMANDED TO THE COURT OF APPEALS FOR RECONSIDERATION.</b> ENTERED: MARCH 14, 2005	2004-SC-000115-D	JEFFERSON
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SUPREME COURT OF KENTUCKY

MINUTES

APRIL 21, 2005

RELEASED: 2:00 P.M.

**COURT ORDERS**

SAN JUAN C. ROMERO, ET AL V.  
ADMINISTRATIVE OFFICE OF THE  
COURTS

[2004-SC-000913-OA](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

**COURT ORDER MODIFYING OPINION  
ENTERED MARCH 17, 2005 CHANGING  
“NOT TO BE PUBLISHED” IN THE  
HEADER TO “TO BE PUBLISHED.”**  
ENTERED: MARCH 21, 2005

ERNIE W. LEWIS, PUBLIC ADVOCATE,  
ET AL V.  
COMMONWEALTH OF KENTUCKY  
**COURT ORDER DISMISSING APPEALS.**  
ENTERED: MARCH 14, 2005

2004-SC-000926-MR  
2004-SC-000928-MR  
2004-SC-000930-MR

FROM COURT  
OF APPEALS

AMY E. HERRINGTON V.  
JUDGE, FAYETTE CIRCUIT COURT,  
DIVISION TWO, ET AL  
**COURT ORDER DELIVERED GRANTING  
APPELLANT MOTION TO DISMISS.**  
ENTERED: APRIL 15, 2005

2004-SC-001127-MR

FAYETTE

COMMONWEALTH OF KENTUCKY V.  
JOHN DAVID CAUDILL, JUDGE  
FLOYD CIRCUIT COURT, ET AL  
**COURT ORDER DISMISSING APPEAL.**  
ENTERED: APRIL 6, 2005

2005-SC-000092-MR

FLOYD